



## **IDENTIFICATION OF PARTIES**

### **Identification of Plaintiff(s)**

1. Name of individual injured due to the use of talcum powder product(s): \_\_\_\_\_  
Linda Mann Diamond.
2. At the time of the filing of the specific case, Plaintiff(s) is/are a citizen of  
Clearwater, FL.
3. Consortium Claim(s): The following individual(s) allege damages for loss  
of consortium: Darrough Diamond  
\_\_\_\_\_  
\_\_\_\_\_
4. Survival and/or Wrongful Death Claims:  
  
Name and residence of Decedent Plaintiff when she suffered the  
talcum powder product(s) related death: Linda M. Diamond; 1800 Riverside  
Drive, Apt 1413, Columbus, OH 43212  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Plaintiff/Decedent was born on November 28, 1941 and died on  
December 18, 2022.
6. Plaintiff is filing this case in a representative capacity as the \_\_\_\_\_  
Personal Representative of the Estate, having been duly  
appointed  
  
as the Executor/Personal Representative by the Probate Court of \_\_\_\_\_  
Franklin County, Ohio.

7. As a result of using talcum powder products, Plaintiff/Decedent suffered personal and economic injur(ies) that are alleged to have been caused by the use of the products identified in Paragraph 16 below, but not limited to, the following:

☒ injury to herself  
☐ injury to the person represented  
☐ wrongful death  
☐ survivorship action  
☒ economic loss  
☐ loss of services  
☒ loss of consortium  
☐ other: \_\_\_\_\_  
\_\_\_\_\_

**Identification of Defendants**

8. Plaintiff(s)/Decedent Plaintiff(s) is/are suing the following

Defendant(s)(please check all that apply):

☒ Johnson & Johnson  
☒ Johnson & Johnson Consumer Inc.

---

<sup>1</sup> If additional Counts and/or Counts directed to other Defendants are alleged by the specific Plaintiff(s) as to whom this *Short Form Complaint* applies, the specific facts supporting these allegations must be pleaded by the Plaintiff(s) in a manner complying with the requirements of the Federal Rules of Civil Procedure, and the Defendants against whom they are alleged must be specifically identified on a separate sheet of paper attached to this *Short Form Complaint*.

- ☐ Imerys Talc America, Inc. (“Imerys Talc”)
- ☐ Personal Care Products Council (“PCPC”)

**Additional Defendants:**

x Other(s) Defendant(s) (please specify): LTL Management, LLC; Johnson & Johnson Holdco (NA) Inc.; Janssen Pharmaceuticals, Inc.; Kenvue, Inc.

---

---

**JURISDICTION & VENUE**

**Jurisdiction:**

9. Jurisdiction in this Short Form Complaint is based on:

X Diversity of Citizenship

☐ Other (The basis of any additional ground for jurisdiction must

be pled in sufficient detail as required by the applicable Federal Rules of Civil Procedure). \_\_\_\_\_

---

**Venue:**

10. District Court(s) and Division (if any) in which venue was proper where you might have otherwise filed this Short Form Complaint absent the direct filing Order entered by this Court and to where remand could be ordered by the Judicial Panel for trial:

United States District Court of Florida

---



### **CAUSES OF ACTION**

17. Plaintiff(s) hereby adopt(s) and incorporate(s) by reference the *Master Long Form Complaint and Jury Demand* as if fully set forth herein.
18. The following claims and allegations asserted in the *Master Long Form Complaint and Jury Demand* are herein adopted by reference by Plaintiff(s):
- X Count I: Products Liability – Strict Liability – Failure to Warn (Against Imerys Talc)
  - X Count II: Products Liability – Strict Liability – Failure to Warn (Against the Johnson & Johnson Defendants)
  - X Count III: Products Liability – Strict Liability – Defective Manufacturer and Design (Against Imerys Talc)
  - X Count IV: Products Liability – Strict Liability – Defective Manufacturer and Design (Against the Johnson & Johnson Defendants)
  - X Count V: Breach of Express Warranties (Against the Johnson & Johnson Defendants)
  - X Count VI: Breach of Implied Warranty of Merchantability (Against the Johnson & Johnson Defendants)
  - X Count VII: Breach of Implied Warranty of Fitness for a Particular Purpose (Against the Johnson & Johnson Defendants)
  - X Count VIII: Negligence (Against Imerys Talc)
  - X Count IX: Negligence (Against the Johnson & Johnson Defendants)
  - X Count X: Negligence (Against PCPC)
  - X Count XI: Negligent Misrepresentation (Against the Johnson &

Johnson Defendants)

X Count XII: Fraud (Against the Johnson & Johnson Defendants)

X Count XIII: Fraud (Against PCPC)

X Count XIV: Violation of State Consumer Protection Laws of the  
State of Florida (Against the Johnson &  
Johnson Defendants).

X Count XV: Fraudulent Concealment (Against Imerys Talc)

X Count XVI: Fraudulent Concealment (Against the Johnson &  
Johnson Defendants)

X Count XVII: Fraudulent Concealment (Against PCPC)

X Count XVIII: Civil Conspiracy (Against All Defendants)

X Count XIX: Loss of Consortium (Against All Defendants)

X Count XX: Punitive Damages (Against All Defendants)

X Count XXI: Discovery Rule and Tolling (Against All Defendants)

X Count XXII: Wrongful Death (Against All Defendants)

X Count XXIII: Survival Action (Against All Defendants)

X Furthermore, Plaintiff(s) assert(s) the following additional theories  
and/or State Causes of Action against Defendant(s) identified in

Paragraph nine

(9) above. If Plaintiff(s) includes additional theories of recovery, to the extent they  
require specificity in pleadings, the specific facts and allegations supporting these  
theories must be pled by Plaintiff(s) in a manner complying with the requirements

of the Federal Rules of Civil Procedure. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**WHEREFORE**, Plaintiff prays for relief and judgment against Defendants of compensatory damages, punitive damages, interest, costs of suit, and such further relief as the Court deems equitable and just, and as set forth in the Master Long Form Complaint as appropriate.

**JURY DEMAND**

Plaintiff(s) hereby demand a trial by jury as to all claims in this action.

Dated: 8.23.2023

Respectfully Submitted by,

*/s/ Cam F. Justice*

\_\_\_\_\_  
Cam F. Justice

**Counsel for Plaintiff(s)**